

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**CYNTHIA GOYNE and
BRITTANY STUTZMAN**

PLAINTIFFS

vs.

No. 4:21-cv-199-KGB

**PROPEL TRUCKING, INC. and
MARC CAMPBELL**

DEFENDANTS

JOINT STIPULATIONS

Plaintiff and Defendants, by and through their undersigned attorneys, hereby stipulate to the following:

1. This Court has jurisdiction over this lawsuit.
2. Venue properly lies within this Court.
3. Propel qualifies as a covered “employer” as that term is defined by the Fair Labor Standards Act (“FLSA”) and the Arkansas Minimum Wage Act (“AMWA”).
4. Propel is subject to the provisions of the FLSA and AMWA.
5. Plaintiff was employed by Propel from July of 2012 until February 2021.
6. Plaintiff filed her lawsuit on March 12, 2021.
7. Plaintiff was classified as an exempt employee.
8. Plaintiff met the salary basis requirement to be an exempt employee.
9. The two-year statute of limitations applies to this case.
10. If Plaintiff is found to be due overtime, the amount will be doubled pursuant to the FLSA.
11. If the Court determines that Plaintiff was not an exempt employee, any additional compensation due for overtime worked will be based on half-time, as Plaintiff has already been

paid her regular rate of pay for all hours worked. In a week when Plaintiff worked more than 40 hours, her salary will be divided by the number of hours worked that week. One-half of the quotient will be the overtime rate to be paid for hours worked over 40 hours in that week. For example, if Plaintiff is found not to have been an exempt employee and worked 42 hours in a given week, her regular hourly rate of pay would equal her salary (\$700) divided by the hours worked (42), or \$16.66. Her overtime rate would be one half that amount, or \$8.33. The overtime pay for that week would equal \$16.66 (\$8.33 x 2 hours).

Respectfully Submitted,

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